

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125
Attachment # 144

1 KILLEN: This is the, this is the audio recorded interview
2 of Officer Joseph McElligott regarding Log number
3 1072125 U number 14 dash 36. Today is the 21st
4 of October 2014. And the time is approximately
5 0436 hours. This statement is bein' taken at
6 Area Central Police Headquarters. My name is
7 Investigator Killen, that's spelled K I L L E N.
8 My star number is 1 2 9. Uh also present in the
9 room is uh FOP attorney Dan Herbert. Dan if you
10 would say and spell your first and last names.

11 HERBERT: Dan, D A N, Herbert, H E R B E R T.

12

13 KILLEN: And then FOP Representative Kato, uh Kriston
14 Kato.

15 KATO: First name is Kriston, K R I S T O N. Last name
16 K A T O. FOP Field Representative.

17

18 KILLEN: And Officer McElligott if you would say and spell
19 your first and last names for me.

20 P.O.MCELLIGOTT: Joseph McElligott, J O S E P H,
21 McElligott, M C E L L I G O T T.

22

23 KILLEN: Okay and what's your star number?

24 P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

25

26 KILLEN: And your employee number?

27 P.O.MCELLIGOTT: [REDACTED]

28

29 KILLEN: And your date of appointment with the Department?

30 P.O.MCELLIGOTT: 27 August '01.

31

32 KILLEN: And your date of birth?

1 P.O.MCELLIGOTT: [REDACTED]

2

3 KILLEN: And your current unit of assignment?

4 P.O.MCELLIGOTT: The 8th District.

5

6 KILLEN: And how long you been in 8th District?

7 P.O.MCELLIGOTT: Seven years.

8

9 KILLEN: All right. Now you're aware that this statement
10 has the standing of an official Department
11 report. And that any intentional falsification
12 of any answer to any question would be in direct
13 violations of rules and regulations?

14 P.O.MCELLIGOTT: Yes.

15

16 KILLEN: Given that, I'd like to remind you that failure
17 to provide a complete and accurate account of
18 this incident could result in a finding of a
19 violation of Rule 14 with discipline leading up
20 to and including separation from the Chicago
21 Police Department. Do you understand that?

22 P.O.MCELLIGOTT: Yes.

23

24 KILLEN: All right what was your duty status and
25 assignment on 21 October or 20 October 2014 at
26 approximately 2150 hours?

27 P.O.MCELLIGOTT: This statement is not being given
28 voluntarily but under duress. I am only givin'
29 this statement because I know I will be fired if
30 I refuse.

31

1 KILLEN: All right so what was your duty status and
2 assignment last night at (someone coughs) 2150
3 hours?

4 P.O.MCELLIGOTT: Full duty.

5

6 KILLEN: Okay. What time you start work last night?

7 P.O.MCELLIGOTT: Uh 2100.

8

9 KILLEN: Is that your normal start time?

10 P.O.MCELLIGOTT: Yes.

11

12 KILLEN: Okay and you remember what beat you were
13 assigned?

14 P.O.MCELLIGOTT: 815 Robert.

15

16 KILLEN: Okay and were you assigned a partner?

17 P.O.MCELLIGOTT: Yes.

18

19 KILLEN: And who's your partner?

20 P.O.MCELLIGOTT: Uh Thomas Gaffney.

21

22 KILLEN: All right and you and Officer Gaffney you guys
23 were assigned a vehicle?

24 P.O.MCELLIGOTT: Yes.

25

26 KILLEN: And what kinda vehicle?

27 P.O.MCELLIGOTT: It's a Chevy Tahoe.

28

29 KILLEN: Marked?

30 P.O.MCELLIGOTT: Yes,

31

1 KILLEN: Okay and you and Officer Gaffney are in full
2 uniform?

3 P.O.MCELLIGOTT: Yes.

4

5 KILLEN: Okay and then at about 2150 hours at about 41st
6 and Pulaski you and uh Officer Gaffney were
7 witnesses to a police-involved shooting correct?

8 P.O.MCELLIGOTT: Correct.

9

10 KILLEN: All right and if you would just um from the
11 beginning explain to me what happened?

12 P.O.MCELLIGOTT: Uh we responded to a call of holding
13 the offender at uh 4100 on Karlov. And um I
14 don't know I forget the exact address.

15

16 KILLEN: So you received this, you say responded to the
17 call. You got a call uh via OEMC?

18 P.O.MCELLIGOTT: Yes.

19

20 KILLEN: All right so over the radio you get a call.

21 P.O.MCELLIGOTT: Holding the offender um somebody's
22 stealing radios out of semi trucks.

23

24 KILLEN: Okay. Do you re, do you remember where you and
25 uh, where were you and Officer Gaffney when you
26 got that call?

27 P.O.MCELLIGOTT: Um we're somewhere along Archer around
28 Kostner.

29

30 KILLEN: Okay. So you're south of 41st and Kildare?

31 P.O.MCELLIGOTT: Correct.

32

1 KILLEN: And Officer Gaffney's the driver?

2 P.O.MCELLIGOTT: He is the driver, yes.

3

4 KILLEN: So you guys head over to that --

5 P.O.MCELLIGOTT: So we head over, we take Kostner up and
6 then uh take 47th to Kildare.

7

8 KILLEN: Okay. And what happens when you get there?

9 P.O.MCELLIGOTT: Um a male Hispanic and a female
10 Hispanic um we pull up to the address and they
11 said um that a male black wearin' a black shirt
12 was in the, tryin' to steal the radios outta the
13 semi. Um he was holding a, a white cord to like
14 a phone, like a charger. And he said he's got my
15 phone. So then he said he's right around the
16 corner. (clears throat) So then we, we drive
17 north to 40th Street and we turn right and then we
18 see a male black with a black shirt.

19

20 KILLEN: Okay and what's he doin'?

21 P.O.MCELLIGOTT: He's standing there and then he kinda
22 turns around when he sees us pull up.

23

24 KILLEN: And what happens?

25 P.O.MCELLIGOTT: At that point I got outta the car and
26 I'm giving 'em commands to stop, turn around.
27 And I noticed he has his left hand in his pocket
28 like in a ball. And in his right hand he's
29 holding something else. And then I tell 'em take
30 his hands out of his pockets; let me see your
31 hands. He doesn't take his hands --

32

1 KILLEN: So at this point is he, his back is to you?

2 P.O.MCELLIGOTT: He's facing me at this point.

3

4 KILLEN: Okay.

5 P.O.MCELLIGOTT: And then he starts turning and walking
6 away. And he's holding one arm out and one hand
7 in his pocket. He continues to walk and uh then
8 he turns again he takes both his hands out and,
9 and at that point he has a knife in his right
10 hand as if he just opened it up, like flipped it
11 open and he's holdin' his hand. At that point I
12 drew my weapon I tell 'em to drop the knife. Um
13 he kinda has this look in his eye like, like
14 maybe he's on some sorta drugs cause it was like
15 his eyes like rolled back. And then he walked,
16 he started walking east again with his hands out
17 and then he's kinda like kinda makin' motions
18 from side to side. He's kinda all over. Goes
19 from the street to the, to the sidewalk. And the
20 whole time my partner is kinda paralleling me.
21 And he's driving and I'm had my flashlight on 'em
22 and I'm tellin' 'em to stop. Tellin' 'em to
23 drop, drop the weapon. Drop the knife.

24

25 KILLEN: So you're on foot correct?

26 P.O.MCELLIGOTT: I'm on foot, walking.

27

28 KILLEN: And Officer Gaffney --

29 P.O.MCELLIGOTT: Walking with some distance between me.

30

31 KILLEN: You're behind him correct?

32 P.O.MCELLIGOTT: I'm yeah I'm behind him.

1

2 KILLEN: Behind the offender?

3 P.O.MCELLIGOTT: Yes.

4

5 KILLEN: And Officer Gaffney's paralleling him in the car?

6 P.O.MCELLIGOTT: He's, he's kinda like as far as I am.
7 Like he's like to my right just a lil bit.

8

9 KILLEN: Okay.

10 P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

11

12 KILLEN: Do you close the distance on this guy?

13 P.O.MCELLIGOTT: We just continue to follow 'em. And um
14 then he, at one point (inaudible) my partner
15 decides to pull towards him. And uh at that
16 point he, the offender turned and like in a
17 downward stabbing motion popped the front tire.
18 My partner um at that point said that he popped
19 the tire. Prior to that though um he had asked
20 for an assist.

21 HERBERT: (inaudible)

22 P.O.MCELLIGOTT: He'd asked for somebody to come with a
23 taser. So as we're like tryin' to buy time this
24 happens with the, the tire at uh Keeler. And
25 then um we go a lil bit further and he decide, my
26 partner decides to pull closer to 'em to kinda
27 cause he knew Pulaski was comin' up and there was
28 Burger King and there's a bunch a other stuff
29 where people are. Decides to pull over a lil bit
30 (noise) kinda to veer 'em off so that he'll go up
31 one of the streets cause it's, it's a factory
32 area. And we know it's always like pretty bare.

1 There's nobody around. Um it's after hours. At
2 that point he um he, he grabs the knife and he,
3 he stabs at the, the windshield. So um then he
4 starts walkin' away. Stabbed at the windshield
5 then he walks away from the squad car. And he's
6 walkin' on the sidewalk again. And then um we
7 can hear the cars comin'. And then once we can
8 kinda see (noise) in the windows we could see
9 the, the blue lights in the reflection and you
10 could hear the, you could hear the sirens now.
11 (noise) That's when he decides to take off
12 runnin'. He just full on sprint. Uh I started
13 runnin' after 'em. My partner's driving the car
14 that has a flat. He's goin' after 'em too. He
15 goes through two semis were parked in the back of
16 the Burger King lot at 40th and Pulaski. He goes
17 through, I go through and then I see another
18 squad car pull. They're right behind 'em. They
19 pull behind 'em, he goes through a sidewalk and
20 then they go, they go around through and they
21 (clears throat) they cut through on the sidewalk
22 as well. Around the north side of Burger King.
23 And then I'm followin' up running and as I get to
24 Pulaski I turn right cause they all turned right.
25 (clears throat) And I got to about the light
26 (noise) I could see a bunch of squad cars comin'.
27 And um (clears throat) I keep runnin' (noise) and
28 then one of 'em is, he's lookin' to do a U turn,
29 one of the other squad cars. Um so instead of
30 getting hit I just stopped and I waved them to
31 go. (noise) (clears throat) And at that point he
32 turned around he, he's goin' um southbound slowly

1 so I know they're, they're stopping right there.
2 I hear the shots at that point. And uh when I
3 approach I think I was running down maybe the
4 middle that's when I saw the offender layin' on
5 the ground. And at that point Joe Walsh, Officer
6 Walsh uh he kicked, he the gun outta, or not the
7 gun the uh the knife out of his, his right hand.
8 (noise) Which he was still clenching at the time.
9 And then um (noise) asked for an ambulance and
10 that was pretty much it.

11

12 KILLEN: (clears throat) So when you guys, you're on 40th
13 and you see, you're kinda walkin' with this guy
14 right? You see 'em with the knife?

15 P.O.MCELLIGOTT: Hmm huh.

16

17 KILLEN: Right?

18 P.O.MCELLIGOTT: Yes.

19 HERBERT: Say yes.

20

21 KILLEN: So and you see 'em uh uh you described it as a
22 down motion, he stabbed the tire of the car
23 right?

24 P.O.MCELLIGOTT: Hmm huh.

25

26 KILLEN: That's the --

27 P.O.MCELLIGOTT: Yes.

28

29 KILLEN: -- front passenger tire correct?

30 P.O.MCELLIGOTT: Front passenger tire.

31

1 KILLEN: Okay and then you also saw 'em stab the
2 windshield?

3 P.O.MCELLIGOTT: Yeah.

4

5 KILLEN: Right.

6 P.O.MCELLIGOTT: Yes.

7

8 KILLEN: Okay. Uh and you may have said it and I may have
9 missed it, but did you or uh Officer Gaffney get
10 on the radio and say hey this guy's armed. He's
11 got a knife?

12 P.O.MCELLIGOTT: Yes. Um it was before he said he
13 popped the tire um my partner got on the radio
14 and said (clears throat) said this guy has a
15 knife. Can you send somebody with a taser over
16 here. And then (inaudible) lil time passed by
17 and then (clears throat) that's when the tire
18 incident.

19

20 KILLEN: Okay.

21 P.O.MCELLIGOTT: And then another five, ten seconds
22 (noise) went by and (noise) attacked the car,
23 stabbed the windshield.

24

25 KILLEN: So you're, you were warning everybody ahead a
26 time?

27 P.O.MCELLIGOTT: Yes.

28

29 KILLEN: Before you got anything, he had the knife in his
30 hand.

31 P.O.MCELLIGOTT: Yes. It started with uh we asked for a
32 taser. We said he had a knife. And then we were

1 giving uh kinda like a play by play (noise) stab,
2 he stabbed our tire, he just popped our tire.
3 And, you know and they're askin' if anybody's
4 heading over there. And we're just waitin' for
5 the assist cars to come.

6

7 KILLEN: And I take it you don't carry a taser?

8 P.O.MCELLIGOTT: I do not.

9

10 KILLEN: And then neither does Officer Gaffney correct?

11 P.O.MCELLIGOTT: No.

12

13 KILLEN: Okay, So then you basically follow 'em all the
14 way to Pulaski I take it. Karlov then Keeler
15 somethin' like that.

16 P.O.MCELLIGOTT: Basically yeah. It was --

17

18 KILLEN: And then when the other car comes --

19 P.O.MCELLIGOTT: At that point he was (noise) he darted
20 towards Pulaski.

21

22 KILLEN: Okay.

23 P.O.MCELLIGOTT: From Karlov to Pulaski he was full on
24 sprinting and I was running after 'em.

25

26 KILLEN: And you're after 'em. When he went between the
27 trucks you went between the trucks with 'em?

28 P.O.MCELLIGOTT: Yeah.

29

30 KILLEN: Okay so then when he got to Pulaski he goes
31 south?

1 P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he
2 went south around, he wrapped around the buildin'
3 and (noise) then Burger King.

4

5 KILLEN: And whaddid you mean cause you lost me when you
6 said somebody wanted to make a U turn so you let
7 them go ahead of you.

8 P.O.MCELLIGOTT: There were cars coming northbound on
9 Pulaski to assist. And they passed up, they
10 passed him up and then came back around.

11

12 KILLEN: Oh I gotcha. Okay so he's goin' south --

13 P.O.MCELLIGOTT: They made a U turn --

14

15 KILLEN: I gotcha.

16 P.O.MCELLIGOTT: Yeah they passed him up and turned
17 around. I don't know if they didn't see 'em or
18 if, what their reasoning was, but they, they made
19 a U turn and they turned kinda like right at me
20 and I just said go and I waved 'em.

21

22 KILLEN: Now is he in the street at this time? He is
23 runnin' in the street or is he on the sidewalk?

24 P.O.MCELLIGOTT: I didn't see him at that point I didn't
25 see him because there were other squad cars in
26 front a me. And I don't want, I finally saw him
27 I was in the median and I ran up towards him and
28 that's when at that point he was already down and
29 the officer, other officer was kickin' the gun,
30 uh knife away.

31

1 KILLEN: So were you on the median when you heard the
2 gunshots?

3 P.O.MCELLIGOTT: I was, I heard the gunshots. There's a
4 traffic light. I heard the gunshots while I was
5 at the traffic light. And then I waved, waved
6 the other car to go and then um by the time I got
7 there there were no more shots.

8

9 KILLEN: At the time did you know who was shooting?

10 P.O.MCELLIGOTT: No I did not.

11

12 KILLEN: You didn't see anybody shooting anything like
13 that?

14 P.O.MCELLIGOTT: No.

15

16 KILLEN: Okay. So by the time you got you said then he's
17 already, the offender's already on the ground?

18 P.O.MCELLIGOTT: Yes.

19

20 KILLEN: Is he on his, is he on his back, (noise) his
21 stomach? How's he --

22 P.O.MCELLIGOTT: He was kinda on his side. On his right
23 side.

24

25 KILLEN: And you said he still had the knife?

26 P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

27

28 KILLEN: In his right hand?

29 P.O.MCELLIGOTT: In his right hand.

30

31 KILLEN: And that was Officer Walsh kicked it from his
32 hand?

1 P.O.MCELLIGOTT: Yeah.

2

3 KILLEN: Okay. And what happens he's placed in custody?

4 P.O.MCELLIGOTT: Then he was, well he was obviously
5 down, he wasn't movin' anywhere. We're
6 surrounding him and that's (noise) (inaudible)
7 come.

8

9 KILLEN: Okay. I mean after the knife gets kicked outta
10 his hand, does anybody touch it to your
11 knowledge?

12 P.O.MCELLIGOTT: No.

13

14 KILLEN: Do you ever touch it?

15 P.O.MCELLIGOTT: I didn't touch it.

16

17 KILLEN: Okay. So you didn't see, you didn't see Officer
18 Van Dyke discharge his weapon at the offender
19 correct?

20 P.O.MCELLIGOTT: No I saw 'em holding his weapon.

21

22 KILLEN: Right.

23 P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

24

25 KILLEN: You heard gunshots but you didn't see --

26 P.O.MCELLIGOTT: Correct.

27

28 KILLEN: Okay. Anything you'd like to add?

29 P.O.MCELLIGOTT: No.

30

31 KILLEN: Everything you told me is a true and accurate
32 account of what occurred?

1 P.O.MCELLIGOTT: Yes.

2

3 KILLEN: All right this will conclude the audio recorded
4 interview of Officer uh Joseph McElligott
5 regarding Log number 1072125 U number 14 dash 36.
6 Today is the 21st of October 2014 and the time is
7 approximately 0451 hours.

1

2

3

4 I, CAROL A. O'LEARY, do hereby certify or affirm that
5 I have impartially transcribed the foregoing from an audio
6 recording of the above-mentioned proceeding to the best of
7 my ability.

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Carol A. O'Leary